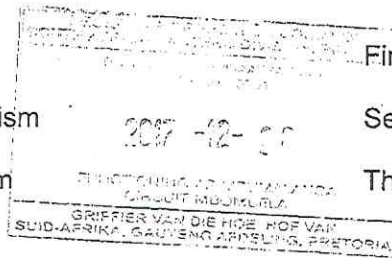


IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA  
(FUNCTIONING AS MPUMALANGA CIRCUIT COURT, MBOMBELA)

Case Number: 2295/17

In the application between:

Sabie Chamber of Commerce and Tourism	First Applicant
Lydenburg Chamber of Commerce and Tourism	Second Applicant
Graskop Chamber of Commerce and Tourism	Third Applicant
Thaba Chweu Local Municipality ("TCLM")	First Respondent
Municipal Manager: Thaba Chweu Local Municipality	Second Respondent
Executive Mayor: Thaba Chweu Local Municipality	Third Respondent
CEO: Thaba Chewu Local Municipality	Fourth Respondent
ESKOM Holdings SOC Limited	Fifth Respondent
National Energy Regulator of South Africa	Sixth Respondent
Minister of Energy	Seventh Respondent
MEC: Cooperative Governance and Traditional Affairs	Eight Respondent
Minister: Cooperative Governance and Traditional Affairs	Ninth Respondent
The Premier, Mpumalanga	Tenth Respondent



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DRAFT COURT ORDER

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Having heard Counsel for the Applicants and for the first to fourth, fifth and tenth Respondents,

The Court makes the following Order:

1. Eskom shall forthwith restore the full supply of electricity to TCLM and may not terminate or interrupt such supply until 31 January 2018, unless otherwise agreed by the parties or ordered by this Court upon further application by any interested party.

2. The Tenth Respondent is ordered to report to this Court by 26 January 2018 on his considerations of non-payment by TCLM and his steps taken to normalize the relationship between TCLM and Eskom.

2.1. In the event that the matter is not resolved amicably the Tenth Respondent is hereby directed to report to this Court what challenges it had in amicably

resolving the matter. *by no later than 26 January 2018*


3. In the event that this matter is not resolved by the parties by 31 January 2018 and subject to paragraph 1 of the interim order, the Court orders as follows:

3.1. This interim order will lapse automatically on 31 January 2018, and Eskom is authorized to proceed with the interruption of electricity to TCLM.

3.2. Part B of this application is to be proceeded with and enrolled during March 2018 on the opposed motion roll in this Honourable Court, on a date to be arranged by the Registrar of this Honourable Court.



- 3.3. The Fifth Respondent, and any other Respondent desiring to do so, is directed to file its Answering Affidavit in respect of Part B of this application on or before 26 January 2018;
- 3.4. The Applicants shall file their Replying Affidavit 9 February 2018;
- 3.5. The Applicants shall file their Heads of Argument by 20 February 2018.
- 3.6. The Respondents shall file their Heads of Argument by 1 March 2018;
4. Costs occasioned by the hearing on 27 December 2017 are reserved for determination together with Part B of the Application.



**The Registrar of the High Court**

